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DATE FILED: 4/3/2024

March 29, 2024

Via ECF

The Honorable Andrew L. Carter, Jr.  
United States District Judge  
United States District Court for the Southern District of New York  
40 Foley Square, Room 435  
New York, New York 10007

Re: *Brazzano v. Thompson Hine LLP, et al.*, C.A. No. 24-cv-01420  
Letter Requesting an Extension of Time to Respond to Plaintiff's Amended Complaint

Dear Judge Carter:

The undersigned counsel represents Defendants Thompson Hine LLP ("Thompson Hine"), Richard DePalma, and Thomas Feher (collectively, "Defendants") in the above-referenced action. I write on behalf of Defendants to respectfully request a 45-day extension of time, until May 17, 2024, for Defendants to respond to Plaintiff's Amended Complaint filed on February 27, 2024. Based on the first date of service, the earliest response deadline for any Defendant is April 2, 2024.

The reason for this request is that Defendants recently retained outside counsel in connection with the above-referenced matter and require additional time to investigate the allegations and prepare a response.<sup>1</sup> A 45-day extension is appropriate here given the number of defendants and the nature and volume of allegations and claims in the Amended Complaint. Specifically, the Amended Complaint contains 578-paragraphs and twelve causes of action against four different defendants. The allegations supporting these claims span more than a decade and involve at least 38 individuals, including 16 who Plaintiff has not identified by name. An extension would also afford Plaintiff additional time to serve Defendant Deborah Read, who has not yet been served, before the responses for the remaining Defendants are due. A single consolidated response date for all Defendants would serve the interests of both the parties and judicial efficiency.

On March 26, counsel for Defendants sought Ms. Brazzano's consent to the requested extension and offered to accept service on behalf of Ms. Read. On March 27, Ms. Brazzano refused. (*See* March 27, 2024 Email from R. Brazzano to C. Fairless, attached hereto as **Exhibit A**.) In short, Ms. Brazzano claims that an extension is unwarranted here because, in 2022, Thompson Hine delayed in responding to her charge of discrimination with the Equal Employment Opportunity Commission and failed to institute a litigation hold in connection with that proceeding. These allegations are not accurate, and, in any event, do not support her opposition to

<sup>1</sup> Defendants will be represented by Carolyn Fairless of Wheeler Trigg O'Donnell LLP, whose *pro hac vice* motion is forthcoming.



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the requested extension. Ms. Brazzano does not contend that Defendants' instant request for a brief extension of time is of an unreasonable duration or will otherwise jeopardize or prejudice her substantive interests in this case.

This request is not for the purpose of delay and will not affect any other scheduled dates as a case schedule has not yet been established. This is Defendants' first request for an extension of time to answer, move, or otherwise response to the Amended Complaint.

Thank you for your consideration of this request submitted on behalf of Defendants.

*/s/ Edward G. Babbitt*

Edward G. Babbitt, Esq.

cc: Rebecca Brazzano (via ECF)

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", is written over a rectangular stamp. The stamp contains the text "SO ORDERED:" at the top, followed by the signature, and then "HON. ANDREW L. CARTER, JR." and "UNITED STATES DISTRICT JUDGE" at the bottom.

SO ORDERED:  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

Dated: April 3, 2024  
The Court hereby  
**GRANTS**  
Defendants'  
requested extension  
of time.